

H.R. 1490 "THE HOMEBOUND CLARIFICATION ACT OF 2001"
Introduced by Rep. Ed Markey (D-MA) and Rep. Chris Smith (R-NJ)
on April 4, 2001

THE PROBLEM: Because of the current "homebound" definition in the Medicare law, home health beneficiaries are forced to become prisoners in their own homes:

- Current law requires that Medicare home health recipients must be confined to the home or "homebound" and any absence from the home must be "infrequent and of short duration."
- Current policy interpretations by the Health Care Financing Administration and followed by fiscal intermediaries are harsh and irrational because they require home health users to be unnecessarily restricted to their homes.

THE SOLUTION: The Homebound Clarification Act of 2001, HR 1490:

- Clarifies that no individual shall be disqualified from being considered confined to the home for any non-medical absence (including, as in current law, any absence to attend a religious service), without regard to whether the absence is infrequent or of relatively short duration. While a normal inability to leave home in order to receive Medicare home health coverage would still be required, absences from home would be allowed.
- Amends the Medicare statute (title XVIII of the Social Security Act) with respect to provisions regarding conditions on payments for services and payments of claims to service providers, as amended by Federal law commonly referred to as the (Medicare, Medicaid, and SCHIP) Benefits Improvement and Protection Act (BIPA).
- Becomes effective as if included in the enactment of BIPA.